

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

James Bohannon, :
: :
Petitioner(s), : Case Number: 1:12cv542
vs. : : Chief Judge Susan J. Dlott
Warden, Allen/Oakwood Correctional Institution, :
: :
Respondent(s). : :
:

ORDER

This matter is before the Court pursuant to the Order of General Reference in the United States District Court for the Southern District of Ohio Western Division to United States Magistrate Judge Michael R. Merz. Pursuant to such reference, the Magistrate Judge reviewed the pleadings and filed with this Court on December 11, 2013 a Report and Recommendation on Motion to Reconsider (Doc. 32). Subsequently, the petitioner filed objections to such Report and Recommendation (Doc. 41).

Magistrate Judge Merz issued another Report and Recommendation on petitioner's motion for leave to appeal in forma pauperis (Doc. 35). Petitioner did not file any objections.

A supplemental Report and Recommendation was issued on January 21, 2014 (Doc. 43). Petitioner filed objections to this Report and Recommendation (Doc. 46).

The Court has reviewed the comprehensive findings of the Magistrate Judge and considered de novo all of the filings in this matter. Upon consideration of the foregoing, the Court does determine that such Recommendations should be adopted.

Accordingly, petitioner's motion is DENIED (Doc. 34); Petitioner's objections which are construed as a motion to alter the judgment under Fed. R. Civ. P. 59(3) is DENIED; Petitioner's

motion to review the record and for reconsideration is DENIED (Doc. 30).

Reasonable jurists will not disagree with this conclusion, therefore, petitioner is DENIED a certificate of appealability and the Court will certify to the Sixth Circuit that any appeal will be objectively frivolous.

IT IS SO ORDERED.

s/Susan J. Dlott
Chief Judge Susan J. Dlott
United States District Court